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In re Application of :
Susan A. Slaughaupt et al :
Serial No.: 10/041,856 : PETITION DECISION
Filed: January 7, 2002 :
Attorney Docket No.: 1829-4004 :

This is in response to the petition under 37 CFR 1.59(b), filed June 18, 2004, to expunge Information from the above identified application.

Petitioner requests that the letter submitted with the petition on June 18, 2004, be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid.

The information is described as a confidential communication to Dr. Gusella, one of the inventors of the above identified application, and relates to review of a proposed journal article (which has since been published) related to the subject matter of the application. The material contained within the letter has been determined to have no bearing on the determination of patentability of this application. In view of this determination by the examiner the letter is expunged from the application and returned to applicants.

The petition is **GRANTED**.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA 22313-1450, or by telephone at 571-272-0519 or by facsimile transmission at general Office facsimile number.

Jasmine C. Chambers
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Director, Technology Center 1600